

Report of Administrator of Insolvent Estate; Request for Discharge

DOD: 2/9/1996		<p>PUBLIC ADMINISTRATOR was appointed as Administrator, with full IAEA authority on 6/19/2001.</p> <p>Letters issued on 6/19/2001.</p> <p>Inventory and Appraisal filed on 8/8/2001 shows the estate valued at \$216,606.57 consisting of a default judgment of Raymond Carranza v. Joe Guerra, et al. Santa Clara County Superior Court case no. 720015 dated 8/8/1996.</p> <p>Department of Health Services filed a creditor's claim in the amount of \$7,335.22 on 9/4/01.</p> <p>Petitioner states this case was referred to the Public Administrator by Attorney Richard Hyppa from Tracy CA. Attorney Hyppa represented the decedent in a 1992 Santa Clara County matter involving "swindle" of real property.</p> <p>On 1/27/2002, Deputy Public Administrator Nina Acosta appeared in Court for a Settlement Conference. No settlement was reached and the case was set for trial the following week. On 2/12/2002 Mr. Hyppa sent an email to the Public Administrator stating that the Judge had decided against him.</p> <p>If the judgment had been awarded, it would have been the sole asset of the estate. Therefore, the Public Administrator never had control of any other assets, and the estate remains insolvent.</p> <p>Deputy Public Administrator Noe Jimenez called Attorney Hyppa, who reported that the case was essentially lost due to the statute of limitations.</p> <p>The Public Administrator requests to have this estate dismissed and he be discharged. There were never any assets to marshal, so no accounting is required.</p>	NEEDS/PROBLEMS/COMMENTS:	
Cont. from 010814				
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input type="checkbox"/>	Inventory			
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<input type="checkbox"/>	Duties/Supp			
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<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
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<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: KT
Reviewed on: 2/24/14
Updates:
Recommendation:
File 1 – Carranza

Report of Successor Administrator of Insolvent Estate: Request for Discharge

DOD: 7-6-03		PUBLIC ADMINISTRATOR , Successor Administrator, is Petitioner.		NEEDS/PROBLEMS/COMMENTS: <u>Notes re history:</u> <ul style="list-style-type: none"> Decedent's will devised the estate to her two daughters Vickie L. Roe and Tiffany Ann McGraw, and to her granddaughter Patricia Nicole Roe Phillips. Another heir was to receive \$50.00, which was paid. Tiffany Ann McGraw assigned her interest to Vickie L. Roe; therefore, the residue of the estate was to be divided between Vickie (2/3) and Patricia (1/3). Vickie L. Roe was appointed as Administrator and Letters issued on 10-28-03 with limited IAEA and bond of \$10,000.00. Amended Letters with full IAEA were issued pursuant to Order dated 12-16-03 and bond was exonerated. The former Administrator filed her First and Final Account on 8-27-04. Per Minute Orders 1-20-05 and 2-3-05, the remaining funds were spent and the Court reserved the right to surcharge and/or issue sanctions. On 4-7-05, the Court approved the attorney's fees, removed Vickie L. Roe and appointed the Public Administrator. Letters issued on 5-5-05. This petition was filed in response to a Notice of Status Hearing for failure to file a petition for final distribution. 																																																																						
		<p>Petitioner states according to the I&A, the estate consisted of real property valued at \$120,000.00, which was sold at a net gain. According to the Court's docket, Attorney Gary Bagdasarian (attorney for former former Administrator VICKIE L. ROE, provided proof creditors were paid. On 2-3-05, the former Administrator acknowledged spending \$49,890.70 and did not provide receipts.</p> <p>The Public Administrator has attempted to contact the former Administrator and the other heir, Patricia Nicole Rowe Phillips, but neither has returned calls or responded to letters.</p> <p>There is no summary of account because no assets ever came into the possession of the Public Administrator. There are no assets with which to pay the Court, the former administrator's attorney, or the other heir. Vickie L. Roe has breached her fiduciary duty by misappropriating a minimum of \$58,495.93 from the estate and is therefore liable to the Court, Mr. Bagdasarian, and Patricia Phillips.</p> <p>Petitioner and his attorney aive all fees and commissions and Petitioner requests to be discharged as administrator as there are no assets.</p> <p>Petitioner prays that:</p> <ol style="list-style-type: none"> 1. The final report prepared herewith be settled, allowed and approved as filed, and all acts and proceedings of Petitioner as successor administrator be confirmed and approved; 2. The Court find that Vickie Roe, as former administrator of this estate, is personally liable tot eh Court, attorney Gary G. Bagdasarian, and the other beneficiary Patricia Nicole Rowe Phillips for a minimum amount of \$58,495.93; 3. The administration of this estate be closed; 4. The Fresno County Public Administrator be discharged as Administrator of the estate of Patricia Leonard, decedent; and 5. For such other and further orders as the Court considers just and proper. 		<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Reviewed by: skc</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Reviewed on: 2-24-14</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Updates:</div> <div style="border: 1px solid black; padding: 5px;">Recommendation: File 2 – Leonard</div>																																																																						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 5%;"> </td><td style="width: 15%;">Aff.Sub.Wit.</td><td style="width: 10%;"> </td></tr> <tr><td>✓</td><td>Verified</td><td> </td></tr> <tr><td> </td><td>Inventory</td><td> </td></tr> <tr><td> </td><td>PTC</td><td> </td></tr> <tr><td> </td><td>Not.Cred.</td><td> </td></tr> <tr><td>✓</td><td>Notice of Hrg</td><td> </td></tr> <tr><td>✓</td><td>Aff.Mail</td><td>w</td></tr> <tr><td> </td><td>Aff.Pub.</td><td> </td></tr> <tr><td> </td><td>Sp.Ntc.</td><td> </td></tr> <tr><td> </td><td>Pers.Serv.</td><td> </td></tr> <tr><td> </td><td>Conf. Screen</td><td> </td></tr> <tr><td> </td><td>Letters</td><td> </td></tr> <tr><td> </td><td>Duties/Supp</td><td> </td></tr> <tr><td> </td><td>Objections</td><td> </td></tr> <tr><td> </td><td>Video Receipt</td><td> </td></tr> <tr><td> </td><td>CI Report</td><td> </td></tr> <tr><td> </td><td>9202</td><td> </td></tr> <tr><td>✓</td><td>Order</td><td> </td></tr> <tr><td> </td><td>Aff. Posting</td><td> </td></tr> <tr><td> </td><td>Status Rpt</td><td> </td></tr> <tr><td> </td><td>UCCJEA</td><td> </td></tr> <tr><td> </td><td>Citation</td><td> </td></tr> <tr><td> </td><td>FTB Notice</td><td> </td></tr> </table>			Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	w		Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp			Objections			Video Receipt			CI Report			9202		✓	Order			Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice					
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(1) First and Final Account and Report of Executor Allowing for its Settlement and
for (2) Discharge of Executor of an Insolvent (non-asset) Estate

DOD: 11/27/05		GUADALUPE URENO , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 11/27/05 – 07/20/10	
Cont. from		Accounting - \$150,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$150,000.00	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$0.00	
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC	Declaration of Guadalupe Ureno filed 01/22/14 states that the only asset of the estate was real property that was lost to foreclosure, therefore there are no assets in the estate and the estate is insolvent as there are insufficient funds to pay all of the costs and expenses of administration.	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/o	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Petitioner requests:	
<input type="checkbox"/>	Letters	12/11/07	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
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<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 02/21/14
			Updates:
			Recommendation:
			File 3 – Ureno

(1) Waiver of Accounting and Report of Executor and Petition for its Settlement, (2)
for Allowance of Compensation for Ordinary Services, and (3) for Final Distribution

DOD: 02/23/08		TODD A. PAIGE , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from		I & A - \$190,500.00	
		POH - \$0.00	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Executor - waived	
<input checked="" type="checkbox"/>	Inventory	Attorney - waived	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Costs - \$950.00 (to be paid outside of the estate)	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/o	
<input type="checkbox"/>	Aff.Pub.	Distribution, pursuant to decedent's will and subject to creditor's claims, is to:	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Leona Habitzel - household furnishings and items valued at less than \$500.00	
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	06/03/08	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections	To the extent that any future property is discovered:	
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report	Wells Fargo Bank and Kevin Nguyen, M.D. creditor's claims - \$4,320.26	
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	Central California Conference Association of Seventh-Day Adventists as Trustee under that certain Trust No. SAV01, established by Veda Florence Sackett as Settlor – Residue of the estate	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 02/24/14
			Updates:
			Recommendation: SUBMITTED
			File 4 – Sackett

Report of Administrator of Insolvent Estate and Request for Final Discharge [Prob. C. 11000]

DOD: 7/13/10		<p>PUBLIC ADMINISTRATOR, Special Administrator, is petitioner.</p> <p>ROBERT ACUNA, JR. and DESIREE ACUNA, were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11.</p> <p>On 4/26/2012 the Court removed Robert Acuna, Jr. and Desiree Acuna as Co-Administrators for failure to respond to the court to close the estate. At the hearing the court appointed the Public Administrator as Special Administrator.</p> <p>According to the original petition for probate, there was 10,000 in personal property and \$100,000 in real property.</p> <p>Franchise Tax Board filed a creditor's claim in the amount of \$3,223.78.</p> <p>The former administrators will also owe the court in the amount of \$435.00 for the filing fee for filing this petition and \$25.50 for Letters issued to the Public Administrator. The former co-administrators' attorney, Dowling, Aaron Inc. may also be owed fees.</p> <p>Due to the breach of fiduciary duty, the former Administrators, Robert Acuna Jr. and Desiree Acuna are personally liable to any amounts owed to the creditors including the court.</p> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. The final report be settled, allowed and approved as filed and all acts of petitioner and successor administrator be confirmed and approved; 2. Due to the insufficiency of the estate, it is not possible to pay the outstanding debts of the estate, and there will be no estate to distribute. 3. The court declare that the former co-administrators are personally liable to all creditors; 4. The Fresno County Public Administrator be discharged as successor Administrator. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Amended Creditor's Claim filed by the Franchise Tax Board on 12/16/13 shows claim now totals \$3,432.75. 2. Administrator Robert Acuna was sent notice at the address for the real property of the estate (4453 W. Princeton Avenue, Fresno). The court may require more information as to the status of the real property. – Declaration filed on 12/23/13 states on 11/26/12 the property was sold in a trustee sale on 5/27/13 for \$167,033.00.
Cont. from 121813			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
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<input checked="" type="checkbox"/>	Notice of Hrg		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: KT

Reviewed on: 2/24/14

Updates:

Recommendation:

File 5 – Acuna

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Administrator)

Statement of Public Administrator's Disposition of Property; and Request for Discharge

DOD: 6/16/2011		PUBLIC ADMINSTRATOR , Administrator appointed on 10/3/2011 pursuant to Probate Code § 7660 for summary proceedings, is Petitioner. Account period: 6/29/2011 – 12/19/2013 Accounting - \$34,210.00 Beginning POH - \$33,612.00 Ending POH - \$0.00 Administrator - \$1,345.28 (paid) <i>(less than statutory of \$1,368.40)</i> Attorney - \$1,345.28 (paid) <i>(less than statutory of \$1,368.40)</i> Costs - \$603.50 (paid) <i>(filing fees, probate referee, certified copies)</i> Distribution was made to: STEPHEN S. NIDA , son – \$25,515.90 cash. <i>(Receipt of Distribution filed 10/4/2012.)</i> Petitioner prays for an Order: 1. Settling and closing the estate; and 2. Discharging the Public Administrator in this matter. 1	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
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<input checked="" type="checkbox"/>	Verified			
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<input type="checkbox"/>	Notice of Hrg N/A			
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<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
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<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
				Reviewed by: LEG Reviewed on: 2/24/14 Updates: Recommendation: SUBMITTED File 6 – Hampton

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob.
C. 8002, 10450)

DOD: 06/30/2011		RICARDO GARCIA , brother and requests appointment as Administrator with bond. Full IAEA – o.k. Decedent died intestate Residence: Fresno Publication: The Business Journal	NEEDS/PROBLEMS/COMMENTS: <u>Continued to 03/19/2014 at the request of Attorney Petty.</u> 1. Need wavier of bond from all intestate heirs, or bond set at \$10,000.00. 2. Need to know if any of the disclaiming siblings have issue. Note: Pursuant to Intestate Succession the beneficiaries of the decedent's estate would be the parents, Hortencia Miranda and Modesto Blanco. Hortencia Miranda and Modesto Blanco have disclaimed their interest. If a beneficiary disclaims their interest in the estate, the disclaimer acts as if the disclaiming party pre-deceased the decedent. See Probate Code §275 et seq. for disclaimers. Because Hortencia Miranda and Modesto Blanco disclaimed their interest in the estate, all of the siblings of the decedent would then be heirs. Since all of the siblings of the decedent excluding Ricardo Garcia have disclaimed their interest in the decedent's estate the issue of the siblings, if any, that disclaimed would now be intestate heirs pursuant to intestate succession. A Disclaimer when effective is irrevocable pursuant to Probate Code §281. <u>Please see additional page for Status Hearings</u>	
Conf. from 020414				
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<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Estimated value of the Estate:

Real property \$190,000.00
 Less encumbrances -\$185,000.00
Total: - \$5,000.00

Probate Referee: Steven Diebert

Reviewed by: LV

Reviewed on: 01/30/2014

Updates: 02/03/2014

Recommendation:

File 7 – Blanco

Note: If the petition is granted status hearings will be set as follows:

- **Friday, 07/11/2014 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Friday, 04/10/2015 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

Atty Petty, Jonathon L. (for Claudia Samples – Petitioner – Step Sister)

Atty Horton, Lisa (Court Appointed for Conservatee)

Amended Petition for Appointment of Probate Conservator of the Person

Age: 64		<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:	
		CLAUDIA SAMPLES , step sister, is petitioner and requests appointment as Conservator of the person, with medical consent and dementia powers.		Court Investigator Advised Rights on 01/10/2014.	
Cont. from		Declaration of AP. S. Sidhu, M.D.		Voting Rights Affected Need Minute Order.	
	Aff.Sub.Wit.				
✓	Verified	Voting Rights Affected.		1. Need Dementia Attachment, Judicial Council Form GC-313.	
	Inventory				
	PTC	Petitioner states James has been diagnosed with Schizophrenia, OCD, Psychosis, and dementia due to a head injury. James' condition is severe. His physician has declared that James' ability to appreciate his surroundings and situation are "so impaired as to be incapable of being assessed.		2. Capacity Declaration filed 12/8/2013 does not support the Petitioner's request for dementia powers.	
	Not.Cred.				
✓	Notice of Hrg	Court Investigator, Jennifer Daniel's report filed 02/07/2014.			
✓	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.				
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
✓	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
✓	Citation				
	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 02/24/2014	
				Updates:	
				Recommendation:	
				File 8 – Greene	

DOD: 12/13/13		LINDA ADAMS and DEBRA PREIS , daughters, are petitioners. 40 days since DOD. No other proceedings, Decedent died Intestate. I & A - \$111,500.00 Petitioners request Court determination that decendent's interest in real property, household furniture and furnishings and a 1991 Chevrolet Lumina pass to them in equal shares.	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
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<input checked="" type="checkbox"/>	Inventory		
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<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 2/24/14
			Updates: 2/25/14
			Recommendation: SUBMITTED
			File 9 – Harrington

DOD: 03/16/2013 Cont. from <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;"></td> <td style="width: 85%;">Aff.Sub.Wit.</td> <td style="width: 10%;"></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Aff.Mail</td> <td style="text-align: center;">w/</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td></td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td></td> <td>Letters</td> <td></td> </tr> <tr> <td></td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	w/		Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp			Objections			Video Receipt			CI Report			9202		✓	Order			Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice		MARIA ISABEL LOPEZ DE BERBER , surviving spouse is petitioner. No other proceedings Decedent died intestate Petitioner requests Court confirmation that real property pass to the petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petition does not set forth enough facts for the Court to determine that it is indeed community property. Need Attachment 7 setting forth the following: <ul style="list-style-type: none"> a. The date the petitioner and decedent were married. b. The date the property was acquired. c. That all the property the petitioner is asking to pass was acquired during the marriage using community property funds and was not received by gift, devise or bequest.
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Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)

Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C. 1820, 1821, 2680-2682)

Age: 90 years		NO TEMPORARY REQUESTED		NEEDS/PROBLEMS/COMMENTS:	
		PUBLIC ADMINISTRATOR is Petitioner and requests appointment as Conservator of the Person with medical consent powers; and as Conservator of the Estate without bond.		Court Investigator Advised Rights on 2/7/2014.	
Cont. from				Voting Rights Affected – Need Minute Order.	
	Aff.Sub.Wit.			1. Petition requests medical consent powers. Need <i>Medical Capacity Declaration</i> in support of Petitioner's request pursuant to Probate Code § 1890(c).	
✓	Verified	Estimated Value of the Estate:		Note: If petition is granted, Court will set status hearings as follows:	
	Inventory	Public Asst. SSI - \$18,984.00		<ul style="list-style-type: none"> • Friday June 27, 2014 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and • Friday May 1, 2015 at 9:00 a.m. in Dept. 303 for filing of first account of the conservatorship. 	
	Cap. Dec.	X	Annuity - \$11,485.44	Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.	
	Not.Cred.		Total - \$30,469.44	Reviewed by: LEG	
✓	Notice of Hrg	(Real property excluded)		Reviewed on: 2/24/14	
✓	Aff.Mail	W/	Need Capacity Declaration.	Updates:	
	Aff.Pub.		Voting Rights Affected	Recommendation:	
	Sp.Ntc.		Petitioner states the proposed Conservatee's husband is deceased and she never had children, and she is living alone in her own home. Petitioner states she is only able to stay living in her home with assistance from friends, as she has progressive moderate cognitive impairment, which hinders her ability to eat properly or take her medications as prescribed. Petitioner states although her friends provide food and leave reminders about medications, her doctor noted that she is losing weight, and much of the food that had been provided appeared to have gone bad. Petitioner states family in Japan and Sacramento have asked proposed Conservatee to live with or near them, and she will first agree but she changes her mind and wants to return home. Petitioner states the proposed Conservatee's memory has caused her to be in dangerous situations, such as locking herself in her garage in the summer and letting people into her house without being able to recall who they were or why they were there.	File 11 – Nishioka	
✓	Pers.Serv.				
	Conf. Screen				
✓	Letters				
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~Please see additional page~

Petitioner states, continued:

- Proposed Conservatee's doctor stated that because of worsening memory loss and decreased judgment ability, her need for additional care is more than her friends can provide;
- Petitioner's appointment as conservator of the person would ensure the proposed Conservatee's proper nutrition and medication and assistance in other personal matters;
- Proposed Conservatee's cognitive impairment renders her unable to manage her finances, and she does not know what income she receives, and her friends have had to pay her bills;
- Petitioner's appointment as conservator of the estate would ensure her income is collected and her bills are paid, and would allow her to enter into a contract with care providers.

Petitioner requests other powers be granted as follows:

1. To sell the proposed Conservatee's interest in her real property;
2. To move the proposed Conservatee from her personal residence to an assisted living situation, if she can no longer reside there due to medical or financial ability; and
3. To obtain a reverse mortgage if that is a viable opportunity for her to remain in her personal residence.

Court Investigator Charlotte Bien's Report was filed on 2/13/2014.

<div style="border: 1px solid black; padding: 2px;">DOD: 10-7-12</div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> Cont. from 111313, 112013, 010814 </div> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr><td style="width: 100px;">Aff.Sub.Wit.</td><td></td></tr> <tr><td>Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCC/JEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>	Aff.Sub.Wit.		Verified		Inventory		PTC		Not.Cred.		Notice of Hrg		Aff.Mail		Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters		Duties/Supp		Objections		Video Receipt		CI Report		9202		Order		Aff. Posting		Status Rpt		UCC/JEA		Citation		FTB Notice		<p>JOAN ST. LOUIS, Spouse, filed Petition for Assumption of Law Practice of David St. Louis on 9-6-13.</p> <p>Background: Mrs. St. Louis' petition requested:</p> <ol style="list-style-type: none"> 1) That the Court assume jurisdiction over the law practice of David J. St. Louis and appoint attorney PAUL T. CHAMBERS to represent and assist the Court in assuming jurisdiction; 2) Allow Mr. Chambers to appoint himself as receiver and take possession and control of any and all bank accounts related to Mr. St. Louis' law practice, including the attorney-client trust account which contained \$54,502.09 at 3-31-13; 3) Coordinate with Allison St. Louis, former legal secretary, to determine the clients entitled to funds and the amounts each is owed; 4) Upon determining the recipients and the amounts owed, that Mr. Chambers be allowed to issue checks to the recipients without further court order; 5) Specifically, that Mr. Chambers be allowed, without further Court order, to issue checks from a certain estate account (John K. Shirin Estate) to those recipients entitled thereto; and 6) Upon completion, provided accounting. <p>Non-Opposition to Petition was filed 9-30-13 by the State Bar of California.</p> <p>A Creditor's Claim and Request for Special Notice was filed 9-30-13 by Attorney J. Patrick Sullivan, who represents Walter Wentz, Creditor.</p> <p>Limited Opposition to Petition was filed 10-9-13 by BIANCA SORIA. Ms. Soria states she was a client of Mr. St. Louis, who was wired \$65,000.00 in connection with a settlement. Ms. Soria requested that as a condition to granting the petition, that the Court direct Mr. Chambers to distribute the funds to her, or to post appropriate bond.</p> <p>At hearing on 10-16-13, the Court granted the petition with additional orders and set this status hearing. <u>See Page 2 for specifics.</u></p> <p>Subsequent to the hearing, both attorneys David Roberts and Donald Cram submitted competing proposed orders.</p> <p>Therefore, the Court will address the competing proposed orders at this status hearing.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 11/13/13, 11/20/13, 1/8/14.</p> <p>Minute Order 11/20/13: Mr. Cram is appearing via CourtCall. Mr. Roberts informs the Court that the amount in the trust is insufficient to pay the claims. The Court directs Mr. Roberts to contact the State Bar.</p> <p>Minute Order 1/8/14: Mr. Roberts and Mr. Cram are appearing by courtcall. Continued to 2/26/14.</p> <p>As of 2/21/14, nothing further has been filed.</p> <ol style="list-style-type: none"> 1. Need current status report. <div style="border: 1px solid black; padding: 2px; margin-top: 10px;">Reviewed by: skc</div> <div style="border: 1px solid black; padding: 2px; margin-top: 2px;">Reviewed on: 2-21-14</div> <div style="border: 1px solid black; padding: 2px; margin-top: 2px;">Updates:</div> <div style="border: 1px solid black; padding: 2px; margin-top: 2px;">Recommendation:</div> <div style="border: 1px solid black; padding: 2px; margin-top: 2px;">File 12 – St. Louis</div>
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Minute Order 10-16-13: Mr. Cram is appearing via CourtCall on behalf of Bianca Soria. The Court accepts Mr. Roberts representation that Attorney Timothy Magill has been given notice. The Court finds that Patrick James' client has been properly served. The Court will allow the interlineation under 9764. The Court grants the petition and waives bond. The Court orders that the \$41,155.89 be paid within 30 days. The Court notes that there are no funds to pay Attorney Chambers and he is acting in pro bono. Matter set for Status Hearing on 11/13/13. If everything is completed by 11/13/13, no appearances will be necessary. Set on 11/13/13 at 9am in Dept 303 for Status Hearing. Additional hearing dates 3/6/14 at 9am Dept 303 for Status Re Accounting; Petition is granted; Order to be signed ex parte.

Attorney David A. Roberts submitted a proposed Order that contains orders as follows:

1. Granting the petition that the Court assume jurisdiction over the law practice, including, but not limited to, dispersing [sic] funds held in the attorney-client trust account;
2. Appointing Paul T. Chambers to represent and assist the Court in assuming jurisdiction over the law practice without bond and shall receive no compensation;
3. That Mr. Chambers coordinate with Allison St. Louis to determine the clients entitled to files, documentation, and/or funds and the amounts each is owed;
4. That the amount that Mr. Chambers finds due to Ms. Soria shall be paid within 30 days from the entry of this order without further Court order;
5. That Mr. Chambers be allowed to appoint himself receiver and take possession of the various accounts and have signature power over such accounts, including that certain account fbo John K. Shirin or his heirs;
6. That after determining the recipients of the files, documents, and money, and the amount thereof, that Mr. Chambers is given the authority to disburse such without further Court order;
7. That Mr. Chambers is authorized without further Court order to issue checks from the John K. Shirin account to those recipients entitled thereto;
8. That upon completing the foregoing tasks, Mr. Chambers provide an accounting, upon approval of which he shall be discharged; and
9. That Mr. Chambers inform the Court of any other action taken as the Court's representative;
10. Setting hearing for approval of the final account on 3-6-14.

Attorney Donald H. Cram submitted an Alternate proposed Order that includes, in addition to the above orders, that Mr. Chambers shall disburse no less than \$41,155.89 to Ms. Soria within 30 days without further Court order.

Amended Waiver of Accounting and Petition for Final Distribution under Will

DOD: 4-19-07			<p>EVELYN S. DUARTE, Executor with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived by heirs</p> <p>I&A: \$155,000.00 (real property)</p> <p>POH: Not stated; however, it appears the real property has not been sold.</p> <p>Executor (Statutory): Waived</p> <p>Former Attorney (Statutory): Waived per declaration filed 11-25-13</p> <p>Closing: \$500.00 (?)</p> <p>Petitioner states there are creditor's claims outstanding and unpaid property taxes.</p> <p>Petitioner requests distribution of the estate's real property pursuant to Decedent's will to Evelyn S. Duarte, Lila Holguin, and Melissa Romero (shares not specified)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>SEE ADDITIONAL PAGE</u></p>
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
	Notice of Hrg	X		
	Aff.Mail	X		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters	7-10-07		
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
	Order	X		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
N/A	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 2-24-14	
			Updates:	
			Recommendation:	
			File 13 – Flores	

Page 2 – NEEDS/PROBLEMS/COMMENTS

1. Need Notice of Hearing and proof of service of the Notice of Hearing on Lila Holguin and Melissa Romero. Note: Although the two heirs waived accounting and verified the petition, Notice of Hearing is still required unless specifically waived.
2. Petitioner states there are creditor's claims outstanding and unpaid property taxes. Distribution cannot occur until claims are satisfied or adequately provided for. Therefore, it does not appear the estate is in a position to close.

Note: Although it appears Petitioner has attempted to negotiate the balances and paid portions of the claims, certain claims were previously allowed in full. Therefore, need proof of payment in full or withdrawals from all creditors/claimants:

- Citibank (South Dakota), N.A. (Sears Premier Card) (claim filed 8-20-07 in the amount of \$1,235.41 was allowed 9-14-07)

- GE Consumer Finance (for American Express) (claim filed 10-23-07 in the amount of \$920.68 was allowed 12-11-07)

- Bank of America FIA Card Services NA (claim filed 1-22-08 in the amount of \$1,580.20 was allowed 10-15-08)

Note: Petitioner provides a list that doesn't match the claims filed (claimants or amounts). It appears Petitioner has attempted to make payments on certain accounts directly instead of through the claimants who filed the claims on behalf of the creditors. Creditors whose claims have not been paid are entitled to notice of hearing pursuant to Probate Code §11000 and are also entitled to request a full account pursuant to Probate Code §10954.

3. Also, if property is to be distributed subject to tax liens, the Court may require consent of the other two heirs.
4. Petitioner requests to withhold \$500 for closing; however, there does not appear to be cash in the estate. Need clarification.
5. Petitioner requests the Court approve her acts and transactions as executor; however, Examiner notes that this estate is over five years delinquent pursuant to Probate Code §12200 and still does not appear to be in a condition to close. Petitioner states she has been residing in the estate real property, apparently without rent to the estate, to the apparent detriment of creditors and the other heirs. The Court may strike any such language from the order, when submitted.
6. Need order.

DOD: 07/18/2013			ANASTASIA HENDRIX, AMY NORVELLE, and JOHN T. HENDRIX , children are petitioners.			NEEDS/PROBLEMS/COMMENTS:		
			40 days since DOD			<div>1. Will devises the entire estate pass to the Patrick John Hendrix Revocable Living Trust therefore the Trustee must petition to request that the real property pass to the trust.</div> <div>2. Each petitioner must sign the Inventory and Appraisal.</div>		
			No other proceedings					
Cont. from			I&A - \$14,166.00					
	Aff.Sub.Wit.	s/p						
✓	Verified		Will dated: 11/30/2010 devises the entire estate to the Patrick John Hendrix Revocable Living Trust.					
	Inventory		Petitioners request Court determination that decedent's 4.166% interest in real property located at 51 Beechwood Ave, Fresno, Ca.; 1/12 th interest in property located at 44 and 50 W. Herndon Ave., Fresno, Ca.; and 1/24 th interest in real property located in Madera, Ca. pass 33.3% to John Hendrix, 33.3% to Anastasia Hendrix and 33.3% to Amy Norvelle.					
	PTC							
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